

PROCEEDINGS OF THE COMMISSIONER OF LAND REVENUE

Public Office Buildings, Museum, Thiruvananthapuram

(Present: T.O.Sooraj, I.A.S)

No.LR (E) 2-43300/2011

30th November 2012

Sub :- Establishment – Land Revenue Department – Promotion to the cadre of Tahsildar / Senior Superintendent –orders issued

- Read:-
1. GO Rt. No.5744/2001/RD Dated 03/12/2011
 2. Gazette Notification No. LR E2-43300/11 Dated 15/03/2012
 3. The Hon'ble Kerala Administrative Tribunal's Judgment dated 17/08/2012 on OA. No. 333/12, 340/12, TA No.1843/12 and 1365/12
 4. GO Rt. No. 3826/12/RD Dated 03/07/2012.
 5. Gazette Notification No. LR E2-43300/11 Dated 30/07/2012.
 6. The Hon'ble Kerala Administrative Tribunal's order dated 25/10/2012 on OA. No.1664/2012
 7. GO Rt. No.6786/2012/RD Dated 29/11/2012.

As per the Government order read as 1st paper above, Government had extended the period of probation of 112 incumbents in the cadre of Deputy Tahsildar/Junior Superintendents. The DPC (L) held on 15/03/2012 had drawn the select list read as 2nd paper above. Sri. Thulaseedharan Pillai (Sl. No. 26) included in the above select list was the last person who got promotion in the cadre of Tahsildar.

Meanwhile, the results of the Kerala Criminal Judicial Test was published by the Kerala Public Service Commission on 26.04.2012 in which some senior most Deputy Tahsildars/Junior Superintendents, were qualified the test and became eligible for promotion.

As per the Government order read as 4th paper above, Government had extended the period of probation of 13 incumbents in the cadre of Deputy Tahsildar/Junior Superintendents. An ad-hoc DPC (L) held on 05/07/2012 had modified the select list read as paper 2nd above by including some senior most officers in the appropriate position and published vide 5th paper above. Sri. Padmakumar.S (Sl. No. 26 L) included in this select list was the last person who got promotion in the cadre of Tahsildar.

The Hon'ble Kerala Administrative Tribunal as per the judgment read as 3rd paper read above, quashed the Government Order read as paper 4th above and directed the Government to take fresh decision on this order. Now the matter is under consideration by Government.

Meanwhile, Sri. George.J has filed OA No.1664/12 challenging the Government order read as paper 4th above and the select list read as 5th paper above. The Hon'ble KAT has quashed the said Government order and the select list as per the order read as 6th paper above and also ordered that "Since the applicant is retiring on 30/11/2012 his claim for promotion based on his rank in Annexure A2 shall be considered and orders passed by the 1st respondent, if he is otherwise eligible as

expeditiously as possible at any rate, before his retirement from service. The Government will be free to pass fresh orders on the claim of the party respondents for extension of their probation, after affording an opportunity of being heard to both sides as directed in OA-333/12." In the select list (Annexure 2) read as 2nd paper, the petitioner's position is Sl.No. 30 i.e 3 more seniors to the petitioner are remaining for getting promotion. As per rules, seniors who are included in the select list cannot be superseded by a junior for getting promotion in the higher cadre.

In the above circumstances, in compliance with the orders of Hon'ble Kerala Administrative Tribunal and as per the Government order read as 7th paper above the following officers are provisionally promoted to the cadre of Tahsildar, subject to the decision of the OAs/WPs, if any, pending in this regard and also their seniority in the cadre of Tahsildar will be fixed only after taking a final decision in the OAs and related cases.

Sl. No	Name	Present Post	Posted as
1	SURESH.K.R	DT/JS, Taluk Office, Paravoor	Spl. Tahsildar, LA NH No.1 Palakkad
2	ALEYAMMA.G.M	DT/JS, Taluk Office, Kottarakkara	Tahsildar, Taluk office Mavelikkara
3	ABRAHAM.N.K	DT/JS O/o Spl. Tahsildar RR, Ambalawayal	Adl. Tahsildar, Taluk Office Ponnani
4	GEORGE.J	DT/JS O/o Spl. Tahsildar RR, Pala	SS, RDO Pala

The District Collectors will relieve the above officers immediately under intimation to this office. The officers concerned are directed to hand over their RTCs in due course.

Sd/-

Commissioner

To

The Individuals (Through the District Collectors / Head of Office concerned)

Copy to

1. The Additional Chief Secretary, Revenue Department, Tvpm (with CL)
2. The Accountant General (A & E), Kerala, Tvpm (with CL)
3. District Collectors, EKM/KLM/WYD/KTM/PKD/ALP/MPM
4. CA to Commissioner / Joint Commissioner
5. All Assistant Commissioners
6. Spare / Stock file

Forwarded by Order


Superintendent